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September 3, 2004

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 040216-GU

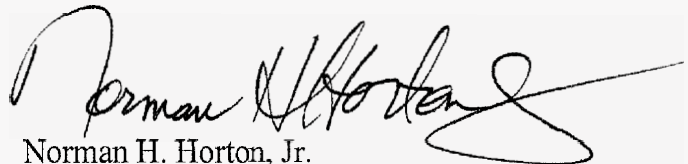
Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and fifteen copies of Florida Public Utilities Company's Request for Confidential Treatment in the above referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Norman H. Horton, Jr.

FRS/amb
Enclosures
cc: Ralph Jaeger, Esq.

DOCUMENT NUMBER-DATE

09723 SEP-3 2004

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Public Utilities)
Company for an increase in its rates)
and charges in their Natural Gas Operations) Docket No. 040216-GU
Date Filed: September 3, 2004

**FLORIDA PUBLIC UTILITIES COMPANY'S REQUEST
FOR CONFIDENTIAL TREATMENT**

Florida Public Utilities Company ("FPUC" or "the Company"), herewith submits its request to treat certain documents as proprietary and confidential and as basis would show:

1. On May 10, 2004, FPUC filed a Petition for Rate Increase with the PSC. As part of the review of the request, the Staff of the FPSC performed an audit of the Company and on August 13, 2004, Staff notified the Company that their field work associated with the audit was complete and was being filed (Audit Control No. 04-168-4-1).
2. During the course of the audit, the Company provided information to the Staff in response to their requests and inquiries. Staff was provided access to the books and records of the Company and copies of documents when requested. Several of the documents which the Company provided to Staff at their request contain information which is considered to be proprietary and confidential by the Company pursuant to Section 366.093, Florida Statutes. The information contained in the documents identified in this request are intended to be and are treated by the Company as private in that disclosure of the information would cause harm to the ratepayers and/or the business operations of the Company. For this reason and for the reasons given below, the Company seeks confidential treatment of the following:

A. WP 8 - 6 pages.

The work paper contains minutes of Board meetings for FPUC and Flo Gas Company which the Company considers to be proprietary confidential business information that is not and has not been disclosed. The minutes reflect discussions concerning operations and management and business plans of the Company. Disclosure of such information would impair the competitive business of each company, and cause harm to the customers, ratepayers and company. Such information is exempt from disclosure pursuant to Section 366.093(3)(b), (d) and (e), Florida Statutes.

B. WP 8-1, 5 pages.

WP 8-1 contains information relative to auditing procedures and controls and is information which the Company considers to be proprietary and confidential and exempt from Section 119.07(1), Florida Statutes pursuant to Section 366.093(3)(b) and (e), Florida Statutes. Such information, if disclosed would impair the business operations of the Company and cause harm to the ratepayers and company.

C. WP 8-3, 3 pages

This work paper consists of minutes of an audit committee meeting which contains information relative to business operations, internal audit controls, and internal operating procedures, all of which the Company considers to be proprietary and confidential. Such information is exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(b) and (e) and if disclosed would harm the business operations of the Company and the ratepayers.

D. WP 9, 8 pages; WP 9A, 12 pages; and 9-1, 5 pages.

These work papers contain discussion of auditors work papers, summaries of audit and control recommendations and action which the Company considers to be proprietary and confidential and sensitive information concerning internal controls and business operations. Additionally, the information is either audit work papers or notes about audit work papers which were prepared by outside auditors as part of their review of company operations. Such work papers, comments, recommendations, and responses are accountant-client communications and are privileged. Disclosure of such confidential and privileged papers reveal information about the business operations, plans and controls of the Company which would benefit competitors, harm the Company and ratepayers and impair the business operations of the Company. Such information is exempt from disclosure pursuant to Section 366.093(3)(b) and (e), Florida Statutes.

E. WP 9-2, 2 pages; WP 9-3, 2 pages; WP 9-4, 2 pages; and WP 9-5, 10 pages.

Each of these work papers consists of documents prepared by external auditors. Additionally, WP 9-4 contains discussion by auditors as to plans and actions of the Company. FPUC considers these documents to be proprietary and confidential and privileged communications with its accountants. These documents are not disclosed nor are they prepared with the intent of disclosure and they contain information revealing business operations, plans and controls which if disclosed would cause harm to the ratepayers and impair the operations of the Company. Information in these work papers is exempt from Section 119.07(1), Florida Statutes pursuant to Section 366.093(3)(b) and (e), Florida Statutes.

F. WP 9-6, 8 pages.

This documents consists of the audit opinion letter from attorneys to the Company and contains information subject to the attorney-client privilege. Additionally, the discussions and opinions of counsel, if revealed, would be of value to competitors and contractors and such disclosure would impair the business operations of the Company. Knowledge of counsel's assessments of suits, plans and options would be of value to parties, competitors, and contractors, both present and future and such information is exempt from disclosure pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

G. WP 9-9, 22 pages; WP 9-10, 3 pages; WP 9-11, 3 pages.

See discussion with respect to WP 9 and WP 9-2, et al. above relative to external work papers.

H. WP 9-12, 4 pages.

This document consists of external audit work papers and contains information about employees and the employee stock option plan. Such information is not disclosed and is exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(f) as it is personnel information not related to compensation, duties, qualifications or responsibilities of these employees.

I. WP 9-15, all pages.

This work papers contains multiple sheets of external audit work papers relative to construction projects, including electric and non regulated Flo-Gas operations. within the documents customers are identified and business plans can be developed by reviewing locations and types of construction. Such information has value to the Company and if disclosed impairs the operations

of the Company and harms the ratepayers. The papers also include information relative to contracts which is also of value to others if disclosed. The Company considers and treats this information as proprietary and confidential exempt from Section 119.07(1), Florida Statutes pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

J. WP 9-16, 13 pages.

This document is a memorandum prepared by external auditors consisting of a series of questions and answers discussing and describing the Company, its operations, internal controls and overall characteristics. Such information would be of use and value to contractors, competitors and potential bidders and if disclosed, would harm the ratepayers and impair the business operations of the Company. The information in this document is exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(d) and (e), Florida Statutes.

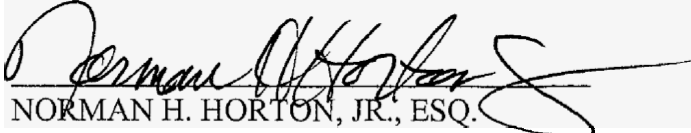
K. WP 9-17, 1 page.

This work paper is a copy of a memo prepared by external auditors, discussing an internal auditing process and is exempt from Section 119.07(1), Florida Statutes, pursuant to Section 366.093(3)(b).

3. For the reasons cited, FPUC requests that the Commission determine the identified documents to be proprietary and confidential, exempt from disclosure pursuant to Section 366.093 (3), Florida Statutes.

Respectfully submitted this 3rd day of September, 2004.

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NORMAN H. HORTON, JR., ESQ.
FLOYD R. SELF, ESQ.

Attorneys for Florida Public Utilities Company

Work Paper 8, 6 pages, all confidential

Work Paper 8-1, 5 pages, all confidential

Work Paper 8-3, 3 pages, all confidential

Work Paper 9, 8 pages, all confidential

Work Paper 9A, 12 pages, all confidential

Work Paper 9-1, 5 pages, all confidential

Work Paper 9-2, 2 pages, all confidential

Work Paper 9-3, 2 pages, all confidential

Work Paper 9-4, 2 pages, all confidential

Work Paper 9-5, 10 pages, all confidential

Work Paper 9-6, 8 pages, all confidential

Work Paper 9-9, 22 pages, all confidential

Work Paper 9-10, 3 pages, all confidential

Work Paper 9-11, 3 pages, all confidential

Work Paper 9-12, 4 pages, all confidential

Work paper 9-13, 3 pages, all confidential

Work Paper 9-15, 71 pages, all confidential

Work Paper 9-16, 13 pages, all confidential

Work Paper 9-17, 1 page, all confidential